ORIGINAL

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Attorneys for Defendants WILLIAM P. BADUA,
JEFFREY OMAI and SPENCER ANDERSON

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAIʻI

OFELIA COLOYAN,
 	
                  Plaintiff,
 	
          vs.
 	
WILLIAM P. BADUA;
JEFFREY OMAI;
SPENCER ANDERSON;
NEIL PANG;
and DOES 5-10,
 	
                  Defendants.
	) CIVIL NO. CV03-476 KSC
	)
	) DEFENDANTS WILLIAM P.
	) BADUA, SPENCER ANDERSON and
	) JEFFREY OMAI'S MOTION IN
	) LIMINE NO. 1 RE: PRECLUDING
	) TESTIMONY REGARDING POLICE
	) TALKING TO PLAINTIFF'S
	) NEIGHBORS; MEMORANDUM IN
	) SUPPORT OF MOTION;
	) DECLARATION OF KENDRA K.
	) KAWAI; EXHIBITS "A" AND "B";
	) CERTIFICATE OF SERVICE
	)
	) Date: _____
	) Time: _____
	) Judge: Honorable Kevin S.C. Chang
	   TRIAL DATE: WEEK OF
	                        MARCH 14, 2006

NOTICE OF HEARING

TO: JACK SCHWEIGERT, ESQ.
       550 Halekauwila Street, Room 309
       Honolulu, Hawai'i 96813
           and
       ARTHUR E. ROSS, ESQ.
       126 Queen Street, Suite 210
       Honolulu, Hawaii 96813
           and
       RORY SOARES TOOMEY
       1088 Bishop Street, Suite 1004
       Honolulu, Hawaii 96813

       Attorneys for Plaintiff
       OFELIA COLOYAN

PLEASE TAKE NOTICE that the undersigned will bring the foregoing Motion on for hearing before the Honorable Kevin S.C. Chang, Magistrate Judge of the above-entitled Court, in his courtroom at the Prince Kuhio Federal Building, 300 Ala Moana Boulevard, Honolulu, Hawaii, on the ____ day of _____, 2006, at ____ o'clock _.m., or as soon thereafter as counsel may be heard.

DATED: Honolulu, Hawaii, February 21, 2006.

                                CARRIE K.S. OKINAGA
                                Corporation Counsel

                  By _____
                                  KENDRA K. KAWAI
                                MARIE MANUELE GAVIGAN
                                Deputies Corporation Counsel
                                Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

OFELIA COLOYAN,	) CIVIL NO. CV03-476 KSC
	)
Plaintiff,	) DEFENDANTS WILLIAM P.
	) BADUA, SPENCER ANDERSON and
vs.	) JEFFREY OMAI'S MOTION IN
	) LIMINE NO. 1 RE: PRECLUDING
WILLIAM P. BADUA;	) TESTIMONY REGARDING POLICE
JEFFREY OMAI;	) TALKING TO PLAINTIFF'S
SPENCER ANDERSON;	) NEIGHBORS
NEIL PANG;	)
and DOES 5-10,	)
	)
Defendants.	)
	)
	)

DEFENDANTS WILLIAM P. BADUA, SPENCER ANDERSON AND
JEFFREY OMAI'S MOTION IN LIMINE NO. 1
RE: PRECLUDING TESTIMONY REGARDING
POLICE TALKING TO PLAINTIFF'S NEIGHBORS

Defendants WILLIAM P. BADUA, SPENCER ANDERSON and

JEFFREY OMAI (hereinafter collectively "Defendants"), by and through their

attorneys, Carrie K.S. Okinaga, Corporation Counsel, and Kendra K. Kawai

and Marie Manuele Gavigan, Deputies Corporation Counsel, hereby move this

Honorable Court for an order, in limine, to preclude testimony regarding the

police talking to Plaintiff's neighbors.

This motion is brought pursuant to Rule 7 of the Federal Rules of

Civil Procedure, LR 16.9 and Rules 602, 801, 802, 401, 402 and 403 of the

Federal Rules of Evidence, and is based upon the memorandum of law

attached hereto, as well as upon the record and files herein.

DATED: Honolulu, Hawaii, February 21, 2006.

CARRIE K.S. OKINAGA
Corporation Counsel

By _____
KENDRA K. KAWAI
MARIE MANUELE GAVIGAN
Deputies Corporation Counsel
Attorneys for Defendants

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

OFELIA COLOYAN,	) CIVIL NO. 03-476 KSC
	)
Plaintiff,	) CERTIFICATE OF SERVICE
	)
vs.	)
	)
WILLIAM P. BADUA;	)
JEFFREY OMAI;	)
SPENCER ANDERSON;	)
NEIL PANG;	)
and DOES 5-10,	)
	)
Defendants.	)
	)
	)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the within was duly served by hand

delivery to the following individuals at their addresses shown below on

February 21, 2006:

JACK SCHWEIGERT, ESQ.
550 Halekauwila Street, Room 309
Honolulu, Hawai'i 96813
            and

ARTHUR E. ROSS, ESQ.
126 Queen Street, Suite 210
Honolulu, Hawaii 96813
            and

RORY SOARES TOOMEY
1088 Bishop Street, Suite 1004
Honolulu, Hawaii 96813

Attorneys for Plaintiff
OFELIA COLOYAN

DATED: Honolulu, Hawai'i, February 21, 2006.

CARRIE K.S. OKINAGA
Corporation Counsel

By: _____
KENDRA K. KAWAI
MARIE MANUELE GAVIGAN
Deputies Corporation Counsel

Attorney for Defendants

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